

INITIATIVE 248

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 248 to the Legislature is a true and correct copy as it was received by this office.

1 AN ACT Relating to regulating the sale of cannabis; amending RCW
2 66.04.010; adding a new chapter to Title 66 RCW; prescribing penalties;
3 and providing an effective date.

4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The people of the state of Washington find
6 that:

7 (1) Cannabis hemp is an environmentally beneficial crop that:

8 (a) Yields more fiber, for paper and textiles, and more protein and
9 oil per land area cultivated than any other plant;

10 (b) Yields cloth and paper of superior strength and durability
11 without the application of pesticides during cultivation and without
12 producing cancer-causing pollutants during processing;

13 (c) Yields more biomass than any other plant outside the tropics,
14 though it grows well in the tropics too, and grows faster than any
15 other plant on earth in the temperate and cooler climates; and

16 (d) Yields a substance that relieves the suffering of many ill
17 people without life-threatening side effects;

18 (2) Federal and corporate misinformation campaigns that
19 economically benefit small groups of people have suppressed the
20 information regarding the benefits of cannabis hemp and that:

1 (a) George Washington grew cannabis for more than thirty years and,
2 while he was president, said, "the artificial preparation of hemp is
3 really a curiosity," and told his secretary of the treasury, Alexander
4 Hamilton, that he was, "suggesting the policy of encouraging the growth
5 of hemp";

6 (b) Thomas Jefferson invented a device to process cannabis, and
7 cannabis fiber was used for most clothing and paper production until
8 the invention of the cotton gin; and

9 (c) Gouverneur Morris of Pennsylvania, who spoke at the United
10 States constitutional convention in 1787 more than any other delegate,
11 and of whom James Madison said, "the style and finish of the
12 Constitution properly belongs to the pen of Gouverneur Morris," wrote
13 a paper he sent to Thomas Jefferson called, *Notes Respecting Tobacco*
14 that compared cannabis and tobacco, and concluded that cannabis "is to
15 be preferred";

16 (3) Despite misinformation concocted to justify cannabis
17 prohibition, the courts of Alaska, Hawaii, and Michigan have noted
18 presidential commission findings, scientific studies, and learned
19 treatises which:

20 (a) Characterize cannabis as a relatively nonaddictive and
21 comparatively harmless euphoriant used and cultivated for more than ten
22 thousand years without a single recorded lethal overdose;

23 (b) Demonstrate that moderate cannabis intoxication causes very
24 little impairment of psychomotor functions; reveal no significant
25 physical, biochemical, or mental abnormalities attributable solely to
26 cannabis use; and that long-term, heavy cannabis users do not deviate
27 significantly from their social peers in terms of mental function;

28 (c) Disprove the "stepping stone" or "gateway drug" argument that
29 cannabis use leads to other drugs; rather, that lies taught about
30 cannabis, once discovered, destroy the credibility of valid educational
31 messages about moderate and responsible use and valid warnings against
32 other truly dangerous drugs;

33 (d) Indicate that cannabis users are less likely to commit violent
34 acts than alcohol users, refute the argument that cannabis causes
35 criminal behavior, and suggest that most users avoid aggressive
36 behavior, even in the face of provocation; and

37 (e) Declare that cannabis use does not constitute a public health
38 problem of any significant dimension, and finds no rational basis for
39 treating cannabis as more dangerous than alcohol;

1 (4) Cannabis does not cause the social ills that its prohibition
2 was intended to guard against; rather, that most of the social ills
3 attributed to cannabis result from its unreasonable prohibition which:

4 (a) Provides incentives to traffic in marijuana instead of limiting
5 its prevalence, since almost all cannabis users evade the prohibition,
6 even though drastically expanding public safety budgets have reduced
7 funding for other vital services such as education;

8 (b) Fosters a black market that exploits children, provides an
9 economic subsidy for gangs, and sells cannabis of questionable purity
10 and uncertain potency;

11 (c) Generates enormous, untaxed, illicit profits that debase our
12 economy and corrupt our justice system; and

13 (d) Wastes police resources, clogs our courts, and drains the
14 public budget to no good effect;

15 (5) Alcohol prohibition caused many of the same social ills before
16 being replaced by regulatory laws which, ever since, have granted
17 alcohol users the privilege of buying alcohol from state licensees,
18 imposed strict penalties protecting children, delivered alcohol of sure
19 potency, and generated substantial public revenues;

20 (6) Cannabis prohibition is a sumptuary law of a nature repugnant
21 to our Constitution's framers, and which is so unreasonable and against
22 liberty as to:

23 (a) Arbitrarily violate the rights of cannabis users to be secure
24 against unreasonable search and seizure as guaranteed to them by the
25 Fourth Amendment to the United States Constitution;

26 (b) Unreasonably impose felony burdens on the cannabis users while
27 the state grants special privileges to alcohol users, which violates
28 the Fourteenth Amendment to the United States Constitution;

29 (c) Unnecessarily proscribe consumption of an "herb bearing seed"
30 given to humanity in Genesis 1:29, thereby violating their unqualified
31 religious rights under the First Amendment to the United States
32 Constitution and their natural rights under the Ninth Amendment to the
33 United States Constitution;

34 (d) Violate the individual's right to privacy and numerous other
35 natural and constitutional rights reserved to the people under the
36 Ninth Amendment to the United States Constitution; and

37 (e) Violate the state's right to regulate and tax an intoxicant
38 market as reserved to states under the Tenth Amendment to the United
39 States Constitution, thereby abdicating control to illicit markets; and

40 (7) The constitutional ends of justice, order, and the perpetuation
41 of liberty; the governmental purposes of preserving the peace, safety,

1 and happiness of the people; and the vitality of the United States
2 Constitution demand the replacement of a costly, self-defeating
3 prohibition with regulatory laws controlling cannabis cultivation,
4 potency, sale, and use; defining and prohibiting cannabis abuse;
5 protecting children with a comprehensive drug education program and
6 strict penalties for the sale or provision of cannabis to minors;
7 funding a state drug abuse treatment program; and raising substantial
8 revenue for public use.

9 NEW SECTION. **Sec. 2.** This act may be known and cited as the
10 Washington cannabis tax act.

11 **Sec. 3.** RCW 66.04.010 and 2000 c 142 s 1 are each amended to read
12 as follows:

13 In this title, unless the context otherwise requires:

14 (1) "Alcohol" is that substance known as ethyl alcohol, hydrated
15 oxide of ethyl, or spirit of wine, which is commonly produced by the
16 fermentation or distillation of grain, starch, molasses, or sugar, or
17 other substances including all dilutions and mixtures of this
18 substance. The term "alcohol" does not include alcohol in the
19 possession of a manufacturer or distiller of alcohol fuel, as described
20 in RCW 66.12.130, which is intended to be denatured and used as a fuel
21 for use in motor vehicles, farm implements, and machines or implements
22 of husbandry.

23 (2) "Beer" means any malt beverage or malt liquor as these terms
24 are defined in this chapter.

25 (3) "Beer distributor" means a person who buys beer from a brewer
26 or brewery located either within or beyond the boundaries of the state,
27 beer importers, or foreign produced beer from a source outside the
28 state of Washington, for the purpose of selling the same pursuant to
29 this title, or who represents such brewer or brewery as agent.

30 (4) "Beer importer" means a person or business within Washington
31 who purchases beer from a United States brewery holding a certificate
32 of approval (B5) or foreign produced beer from a source outside the
33 state of Washington for the purpose of selling the same pursuant to
34 this title.

35 (5) "Brewer" means any person engaged in the business of
36 manufacturing beer and malt liquor. Brewer includes a brand owner of
37 malt beverages who holds a brewer's notice with the federal bureau of
38 alcohol, tobacco, and firearms at a location outside the state and
39 whose malt beverage is contract-produced by a licensed in-state

1 brewery, and who may exercise within the state, under a domestic
2 brewery license, only the privileges of storing, selling to licensed
3 beer distributors, and exporting beer from the state.

4 (6) (~~("Board" means the liquor control board, constituted under~~
5 ~~this title.~~

6 ~~(7))~~) "Club" means an organization of persons, incorporated or
7 unincorporated, operated solely for fraternal, benevolent, educational,
8 athletic or social purposes, and not for pecuniary gain.

9 (7) "Commission" means the Washington state cannabis and liquor
10 control commission.

11 (8) "Consume" includes the putting of liquor to any use, whether by
12 drinking or otherwise.

13 (9) "Dentist" means a practitioner of dentistry duly and regularly
14 licensed and engaged in the practice of his profession within the state
15 pursuant to chapter 18.32 RCW.

16 (10) "Distiller" means a person engaged in the business of
17 distilling spirits.

18 (11) "Domestic brewery" means a place where beer and malt liquor
19 are manufactured or produced by a brewer within the state.

20 (12) "Domestic winery" means a place where wines are manufactured
21 or produced within the state of Washington.

22 (13) "Druggist" means any person who holds a valid certificate and
23 is a registered pharmacist and is duly and regularly engaged in
24 carrying on the business of pharmaceutical chemistry pursuant to
25 chapter 18.64 RCW.

26 (14) "Drug store" means a place whose principal business is, the
27 sale of drugs, medicines and pharmaceutical preparations and maintains
28 a regular prescription department and employs a registered pharmacist
29 during all hours the drug store is open.

30 (15) "Employee" means any person employed by the board, including
31 a vendor, as hereinafter in this section defined.

32 (16) "Fund" means 'liquor revolving fund.'

33 (17) "Hotel" means every building or other structure kept, used,
34 maintained, advertised or held out to the public to be a place where
35 food is served and sleeping accommodations are offered for pay to
36 transient guests, in which twenty or more rooms are used for the
37 sleeping accommodation of such transient guests and having one or more
38 dining rooms where meals are served to such transient guests, such
39 sleeping accommodations and dining rooms being conducted in the same
40 building and buildings, in connection therewith, and such structure or
41 structures being provided, in the judgment of the board, with adequate

1 and sanitary kitchen and dining room equipment and capacity, for
2 preparing, cooking and serving suitable food for its guests: PROVIDED
3 FURTHER, That in cities and towns of less than five thousand
4 population, the board shall have authority to waive the provisions
5 requiring twenty or more rooms.

6 (18) "Importer" means a person who buys distilled spirits from a
7 distillery outside the state of Washington and imports such spirituous
8 liquor into the state for sale to the board or for export.

9 (19) "Imprisonment" means confinement in the county jail.

10 (20) "Liquor" includes the four varieties of liquor herein defined
11 (alcohol, spirits, wine and beer), and all fermented, spirituous,
12 vinous, or malt liquor, or combinations thereof, and mixed liquor, a
13 part of which is fermented, spirituous, vinous or malt liquor, or
14 otherwise intoxicating; and every liquid or solid or semisolid or other
15 substance, patented or not, containing alcohol, spirits, wine or beer,
16 and all drinks or drinkable liquids and all preparations or mixtures
17 capable of human consumption, and any liquid, semisolid, solid, or
18 other substance, which contains more than one percent of alcohol by
19 weight shall be conclusively deemed to be intoxicating. Liquor does
20 not include confections or food products that contain one percent or
21 less of alcohol by weight.

22 (21) "Manufacturer" means a person engaged in the preparation of
23 liquor for sale, in any form whatsoever.

24 (22) "Malt beverage" or "malt liquor" means any beverage such as
25 beer, ale, lager beer, stout, and porter obtained by the alcoholic
26 fermentation of an infusion or decoction of pure hops, or pure extract
27 of hops and pure barley malt or other wholesome grain or cereal in pure
28 water containing not more than eight percent of alcohol by weight, and
29 not less than one-half of one percent of alcohol by volume. For the
30 purposes of this title, any such beverage containing more than eight
31 percent of alcohol by weight shall be referred to as "strong beer."

32 (23) "Package" means any container or receptacle used for holding
33 liquor.

34 (24) "Permit" means a permit for the purchase of liquor under this
35 title.

36 (25) "Person" means an individual, copartnership, association, or
37 corporation.

38 (26) "Physician" means a medical practitioner duly and regularly
39 licensed and engaged in the practice of his profession within the state
40 pursuant to chapter 18.71 RCW.

1 (27) "Prescription" means a memorandum signed by a physician and
2 given by him to a patient for the obtaining of liquor pursuant to this
3 title for medicinal purposes.

4 (28) "Public place" includes streets and alleys of incorporated
5 cities and towns; state or county or township highways or roads;
6 buildings and grounds used for school purposes; public dance halls and
7 grounds adjacent thereto; those parts of establishments where beer may
8 be sold under this title, soft drink establishments, public buildings,
9 public meeting halls, lobbies, halls and dining rooms of hotels,
10 restaurants, theatres, stores, garages and filling stations which are
11 open to and are generally used by the public and to which the public is
12 permitted to have unrestricted access; railroad trains, stages, and
13 other public conveyances of all kinds and character, and the depots and
14 waiting rooms used in conjunction therewith which are open to
15 unrestricted use and access by the public; publicly owned bathing
16 beaches, parks, and/or playgrounds; and all other places of like or
17 similar nature to which the general public has unrestricted right of
18 access, and which are generally used by the public.

19 (29) "Regulations" means regulations made by the board under the
20 powers conferred by this title.

21 (30) "Restaurant" means any establishment provided with special
22 space and accommodations where, in consideration of payment, food,
23 without lodgings, is habitually furnished to the public, not including
24 drug stores and soda fountains.

25 (31) "Sale" and "sell" include exchange, barter, and traffic; and
26 also include the selling or supplying or distributing, by any means
27 whatsoever, of liquor, or of any liquid known or described as beer or
28 by any name whatever commonly used to describe malt or brewed liquor or
29 of wine, by any person to any person; and also include a sale or
30 selling within the state to a foreign consignee or his agent in the
31 state. "Sale" and "sell" shall not include the giving, at no charge,
32 of a reasonable amount of liquor by a person not licensed by the board
33 to a person not licensed by the board, for personal use only. "Sale"
34 and "sell" also does not include a raffle authorized under RCW
35 9.46.0315: PROVIDED, That the nonprofit organization conducting the
36 raffle has obtained the appropriate permit from the board.

37 (32) "Soda fountain" means a place especially equipped with
38 apparatus for the purpose of dispensing soft drinks, whether mixed or
39 otherwise.

1 (33) "Spirits" means any beverage which contains alcohol obtained
2 by distillation, including wines exceeding twenty-four percent of
3 alcohol by volume.

4 (34) "Store" means a state liquor store established under this
5 title.

6 (35) "Tavern" means any establishment with special space and
7 accommodation for sale by the glass and for consumption on the
8 premises, of beer, as herein defined.

9 (36) "Vendor" means a person employed by the board as a store
10 manager under this title.

11 (37) "Winery" means a business conducted by any person for the
12 manufacture of wine for sale, other than a domestic winery.

13 (38) "Wine" means any alcoholic beverage obtained by fermentation
14 of fruits (grapes, berries, apples, et cetera) or other agricultural
15 product containing sugar, to which any saccharine substances may have
16 been added before, during or after fermentation, and containing not
17 more than twenty-four percent of alcohol by volume, including sweet
18 wines fortified with wine spirits, such as port, sherry, muscatel and
19 angelica, not exceeding twenty-four percent of alcohol by volume and
20 not less than one-half of one percent of alcohol by volume. For
21 purposes of this title, any beverage containing no more than fourteen
22 percent of alcohol by volume when bottled or packaged by the
23 manufacturer shall be referred to as "table wine," and any beverage
24 containing alcohol in an amount more than fourteen percent by volume
25 when bottled or packaged by the manufacturer shall be referred to as
26 "fortified wine." However, "fortified wine" shall not include: (a)
27 Wines that are both sealed or capped by cork closure and aged two years
28 or more; and (b) wines that contain more than fourteen percent alcohol
29 by volume solely as a result of the natural fermentation process and
30 that have not been produced with the addition of wine spirits, brandy,
31 or alcohol.

32 This subsection shall not be interpreted to require that any wine
33 be labeled with the designation "table wine" or "fortified wine."

34 (39) "Wine distributor" means a person who buys wine from a vintner
35 or winery located either within or beyond the boundaries of the state
36 for the purpose of selling the same not in violation of this title, or
37 who represents such vintner or winery as agent.

38 (40) "Wine importer" means a person or business within Washington
39 who purchases wine from a United States winery holding a certificate of
40 approval (W7) or foreign produced wine from a source outside the state

1 of Washington for the purpose of selling the same pursuant to this
2 title.

3 NEW SECTION. **Sec. 4.** The definitions in this section apply
4 throughout this chapter unless the context clearly requires otherwise.

5 (1) "Abuse" means repetitive or excessive drug use such that the
6 individual fails to fulfill a statutory or common law duty, including,
7 but not limited to, the duties owed by parents to children, by
8 motorists to pedestrians and other motorists, and by employees to
9 employers, fellow employees, and the public.

10 (2) "Cannabis" means the flowering tops and all parts, derivatives,
11 or preparations of the cannabis plant, also known as marijuana,
12 containing cannabinoids in concentrations established by the commission
13 to be psychoactive, but does not include hemp.

14 (3) "Cultivation" means growing the cannabis plant.

15 (4) "Hemp" means the seeds, stems, and stalks of the cannabis
16 plant, and all other parts, products, and byproducts of the cannabis
17 plant not containing cannabinoids in concentrations established by the
18 commission to be psychoactive. Seeds and starts of all cannabis
19 strains shall be considered hemp.

20 (5) "Person" means a natural individual or corporate entity of any
21 kind whatsoever.

22 NEW SECTION. **Sec. 5.** (1) This chapter shall be liberally
23 construed so as to minimize the misuse and abuse of cannabis; to
24 prevent the illicit sale or provision of cannabis to minors; and to
25 protect the peace, safety, and happiness of Washingtonians while
26 preserving the largest measure of liberty consistent with this section.

27 (2) This chapter shall operate uniformly throughout Washington and
28 fully replace and supersede all statutes, municipal charter enactments,
29 and local ordinances relating to cannabis and cannabis paraphernalia,
30 except those relating to operating a motor vehicle under the influence.

31 (3) This chapter is a scientific experiment by the people of
32 Washington state to lower the misuse of, illicit traffic in, and harm
33 associated with cannabis and will set up voluntary studies of cannabis
34 users under section 7 of this act.

35 NEW SECTION. **Sec. 6.** (1) The commission shall have the powers
36 necessary to carry out the provisions of this chapter. It shall make
37 such rules as will discourage and minimize the diversion of cannabis to
38 illicit sale or use within the state, the illicit importation and sale

1 of cannabis cultivated or processed outside the state, and the illicit
2 export or removal of cannabis from the state. The commission's
3 jurisdiction shall extend to any person licensed under this chapter to
4 cultivate or process cannabis, but shall not extend to any person who
5 manufactures products from hemp. Hemp production for fiber, protein,
6 and oil shall be allowed without regulation, license, or fee. No
7 federal license shall be required to cultivate hemp in Washington
8 state.

9 (2) The commission shall issue to any qualified applicant a license
10 to cultivate cannabis for sale to the commission. The license shall
11 specify the areas, plots, and extent of lands to be cultivated. The
12 commission shall equitably apportion the purchase of cannabis among all
13 licensees. The commission shall purchase and sell cannabis products of
14 the quality and grade set by market demand.

15 (3) The commission shall issue licenses to process cannabis to
16 qualified applicants who submit successful bids. Licensed processors
17 shall, as specified by the commission, contract, cure, extract, refine,
18 mix, and package the entire cannabis crop and deliver it to the
19 commission's physical possession as soon as possible, but not later
20 than four months after harvest.

21 NEW SECTION. **Sec. 7.** The commission shall sell cannabis at cost,
22 to include commission expenses:

23 (1) To Washington state and other states' pharmacies for use under
24 a physician's order for glaucoma, nausea related to chemotherapy, AIDS,
25 or any other condition for which a physician finds cannabis to be an
26 effective treatment; and

27 (2) To recognized Washington state medical research facilities for
28 use in research directed toward expanding medical and sociological
29 knowledge of the composition, effects, uses, and abuse of cannabis, to
30 include studies of cannabis purchasers voluntarily participating
31 through commission stores under section 8 of this act.

32 NEW SECTION. **Sec. 8.** The commission shall sell cannabis through
33 commission stores and shall set the retail price of cannabis to
34 generate profits for revenue to be applied to the purposes of this
35 chapter and to minimize incentives to purchase cannabis elsewhere, to
36 purchase cannabis for resale, or for removal to other states.

37 NEW SECTION. **Sec. 9.** (1) To be qualified to purchase, cultivate,
38 or process cannabis, a person must be over twenty-one years of age, and

1 may not have been convicted of sale of cannabis to minors, or convicted
2 under this chapter of unlicensed cultivation or sale of cannabis.

3 (2) Conviction for cultivation or sale of cannabis to other than
4 minors, when committed prior to the effective date of this act, shall
5 not be grounds for denial of an application for a license under this
6 chapter.

7 NEW SECTION. **Sec. 10.** (1) The commission shall collect license
8 fees which shall be calculated and continually appropriated to defray
9 the commission's administrative costs of issuing licenses under this
10 chapter and the attorney general's costs of litigation in defense of
11 the validity of this chapter's provisions and in defense of persons
12 subjected to criminal or civil liability for actions licensed or
13 required under this chapter.

14 (2) All money from the sale of cannabis shall be remitted to the
15 state treasurer for credit to a cannabis account, from which sufficient
16 money shall be continually appropriated:

17 (a) To reimburse the commission for the costs of purchasing,
18 processing, testing, grading, shipping, and selling cannabis; of
19 regulating, inspecting, and auditing licensees; and of research studies
20 required by this chapter; and

21 (b) To reimburse the attorney general's office for costs of
22 enforcing this chapter's criminal provisions.

23 (3) All money remaining in the cannabis account after reimbursement
24 of the related commission and attorney general's costs shall be profits
25 which the state treasurer shall distribute quarterly as follows:

26 (a) Ninety percent shall be credited to the state's general fund to
27 finance state programs;

28 (b) Eight percent shall be credited to the department of health,
29 and shall be continually appropriated to fund various drug abuse
30 treatment programs on demand;

31 (c) One percent shall be credited to create and fund an
32 agricultural state committee for the promotion of Washington state hemp
33 fiber, protein, and oil crops and associated industries;

34 (d) One percent shall be distributed to the state's school
35 districts, appropriated by enrollment, and shall be continually
36 appropriated to fund a drug education program which shall:

37 (i) Emphasize a citizen's rights and duties under our social
38 compact and to explain to students how drug abusers might injure the
39 rights of others by failing to fulfill such duties;

(ii) Persuade students to decline to consume intoxicants by providing them with accurate information about the threat intoxicants pose to their mental and physical development; and

(iii) Persuade students that if, as adults, they choose to consume intoxicants, they must nevertheless responsibly fulfill all duties they owe others.

NEW SECTION. Sec. 11. The commission, based on findings made in consultation with the state board of pharmacy and cannabis and hemp farmers to cannabinoid and cannabidiol concentrations which produce intoxication, the economics of residual cannabis extraction, and strains of hemp that produce better quality and quantity of fiber, protein, and oil, shall establish reasonable concentrations of cannabinoids deemed psychoactive under this chapter.

NEW SECTION. Sec. 12. (1) The commission, in consultation with the state board of pharmacy, shall set standards which the commission shall apply:

(a) To test and reject cannabis containing adulterants in concentrations known to harm people; and

(b) To grade cannabis potency by measuring the concentrations of psychoactive cannabinoids it contains.

(2) The commission shall affix to cannabis packages a label which shall bear the state seal, a certification of purity, a grade of potency, the date of harvest, a warning as to the potential for abuse, and notice of laws prohibiting resale, removal from the state, public consumption, and provision and sale to minors.

NEW SECTION. Sec. 13. The commission may limit the quantity of cannabis purchased by a person at one time or over any length of time and may refuse to sell cannabis to any person who violates this chapter's provisions or abuses cannabis. The commission will require persons convicted of violating this chapter, any criminal statute while under the influence of cannabis, or neglecting any statutory or common-law duty by reason of cannabis intoxication or abuse, to complete a class prior to reinstating their privilege to purchase cannabis.

NEW SECTION. Sec. 14. Cultivation for sale, removal from the state for sale, and sale of cannabis without commission authority shall be a class C felony, and removal from the state of cannabis for other than sale shall be a misdemeanor.

1 NEW SECTION. **Sec. 15.** The sale of cannabis to minors for a profit
2 shall be a class C felony, and gratuitous provision of cannabis to
3 minors shall be a misdemeanor.

4 NEW SECTION. **Sec. 16.** In addition to other penalties and in lieu
5 of any civil remedy, conviction of sale or unlicensed cultivation for
6 sale under section 14 or 15 of this act shall be punishable by a fine
7 which the court shall determine will deprive an offender of any profits
8 from the criminal activity.

9 NEW SECTION. **Sec. 17.** Except as provided by section 15 of this
10 act, the purchase, attempt to purchase, possession, or acquisition of
11 cannabis by a person under twenty-one years of age shall be a violation
12 of this chapter punishable by a fine of not more than two hundred fifty
13 dollars.

14 NEW SECTION. **Sec. 18.** Except where prominent signs permit and
15 minors are neither admitted nor employed, public consumption of
16 cannabis shall be a violation of this chapter punishable by a fine of
17 not more than two hundred fifty dollars.

18 NEW SECTION. **Sec. 19.** The display or distribution of material
19 that promotes or advertises cannabis for sale, created or paid for by
20 a person in a position to profit from the sale of cannabis, in any item
21 or program where a substantial portion of the intended or actual
22 audience consists of minors, shall be a violation of this chapter
23 punishable by a fine of not more than five thousand dollars.

24 NEW SECTION. **Sec. 20.** The commission, in consultation with the
25 state board of pharmacy and by grants to accredited research
26 facilities, shall:

27 (1) Study methods of use and the potential for, and ill effects of,
28 abuse of cannabis, the possible damage of throat and lungs from
29 inhaling cannabis smoke, less harmful methods of administration,
30 including, but not limited to, filtration of smoke and noncombustive
31 vaporization of the psychoactive agents in cannabis, and shall report
32 its findings in pamphlets distributed at commission stores; and

33 (2) Study cannabis, physical impairment, and driving and, if
34 practicable, shall establish by rule levels of impairment above which
35 a person shall be presumed under the influence.

1 NEW SECTION. **Sec. 21.** In civil cases, a rebuttable presumption of
2 negligence shall arise upon clear and convincing evidence that a person
3 is found to be intoxicated at the time of an accident and if the
4 person's actions materially contributed to the cause of injury.

5 NEW SECTION. **Sec. 22.** Any individual of at least twenty-one years
6 of age may cultivate up to thirteen cannabis plants for personal use
7 without license or fee.

8 NEW SECTION. **Sec. 23.** Information on applicants, licensees, and
9 purchasers under this chapter shall not be disclosed except upon the
10 person's request.

11 NEW SECTION. **Sec. 24.** Municipalities and counties have the option
12 to restrict or prohibit commercial sales of cannabis and cannabis
13 products upon a vote of the people. This option does not extend to
14 medicinal cannabis products, hemp, hemp nutritional products, hemp
15 products, cannabis personal use, nor hemp personal use.

16 NEW SECTION. **Sec. 25.** The attorney general shall vigorously
17 defend this chapter and any person prosecuted for acts licensed under
18 this chapter, propose a federal and/or international act to remove
19 impediments to this chapter, deliver the proposed federal and/or
20 international act to each member of the United States congress and/or
21 international organization, and urge adoption of the proposed federal
22 and/or international act through all legal and appropriate means.

23 NEW SECTION. **Sec. 26.** (1) The code reviser is authorized to
24 change references in the Revised Code of Washington to reflect the
25 change of the name of the Washington state liquor control board to the
26 Washington state cannabis and liquor control commission.

27 (2) The code reviser shall change the name of Title 66 RCW from
28 Alcoholic Beverage Control to Cannabis and Alcoholic Beverage Control.

29 NEW SECTION. **Sec. 27.** This act takes effect January 1, 2002.

30 NEW SECTION. **Sec. 28.** If any provision of this act or its
31 application to any person or circumstance is held invalid, the
32 remainder of the act or the application of the provision to other
33 persons or circumstances is not affected.

1 NEW SECTION. **Sec. 29.** Sections 1, 2, and 4 through 28 of this act
2 constitute a new chapter in Title 66 RCW.

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